

REMARKS

Favorable reconsideration of this application, in view of the present amendments and in light of the following discussion, is respectfully requested.

Claims 1-18 are pending, but Claims 12-14 have been withdrawn in a previous response. Claims 1-6, 8-9, 11, and 15-18 are amended. No new matter is introduced.

In the outstanding Office Action, Claims 1-11 and 15-18 were rejected under 35 U.S.C. § 112, second paragraph; and Claims 1-11 and 15-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mott (U.S. Patent No. 6,170,060, hereafter “Mott”) in view of Sugiyama (U.S. Patent Application Publication No. 2002/0023121, hereafter “Sugiyama”).

Initially, it is submitted that amendments contained herein render the rejection of Claims 1-11 and 15-18 under 35 U.S.C. § 112, second paragraph, moot.

With respect to the rejection of Claims 1-11 and 15-18 as being unpatentable over Mott in view of Sugiyama, Claim 1 is amended to recite, *inter alia*, a content reproduction apparatus that includes:

an ID recording section configured to record in an ID storage section *a content ID and group ID corresponding to content reproduced by said reproduction execution section*; and

a data communication section configured to *transmit the content ID and the group ID recorded in said ID storage section to a content distribution server*, when the content reproduction apparatus is directly or indirectly connected to the content distribution server. (Emphasis added.)

Turning to the primary reference, Mott describes a network-based digital information library system that uses authentication, targeting and encryption to secure the transfer of digital information to a client computer system and a mobile playback device.<sup>1</sup> Mott illustrates the system as including a library site (250) having a library server (260), authoring

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<sup>1</sup> Mott at column 2, lines 60-67.

system (280) and authorization server (270).<sup>2</sup> Mott also illustrates that the library site (250) is connected to a client site (210) via a distribution network (240), and that the client site includes a client computer system (214) and a mobile playback device (212).<sup>3</sup>

Operationally, Mott describes that the library server (260) stores information program files (262) created by the authorizing system (280), and responds to client computer requests for information in conjunction with the authorization server (270).<sup>4</sup> Specifically, the library site (250) authenticates the client computer system (214) and the playback device (212), and then appends the player ID and/or group ID associated with the mobile playback device (212) to the requested digital information before transmitting the digital information to the client computer system (214).<sup>5</sup> The mobile playback device (212) may then descramble and play the digital information if the player ID/group ID of the mobile playback device (212) matches the player ID/group ID appended to the digital information.<sup>6</sup>

However, Mott does not describe that content IDs corresponding to digital information played by the mobile playback device (212) are transmitted by the mobile player (212) to the library site (250). In fact, Mott is silent regarding the tracking of digital information played on the mobile playback devices (212), or the transmitting of any such information to the library site (250). Conversely, amended Claim 1 recites recording in an ID storage section a content ID and group ID *corresponding to content reproduced by said reproduction execution section* and also recites transmitting the content ID and the group ID recorded in the ID storage section to a content distribution server. Therefore, Mott fails to disclose the claimed ID recording section and the claimed data communication section recited in amended Claim 1, and Sugiyama does not cure this deficiency in Mott. As such, no combination of Mott and Sugiyama describe every feature recited in amended Claim 1, and

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<sup>2</sup> Mott at column 5, lines 3-15; see also Figure 2.

<sup>3</sup> Mott at column 5, lines 15-31; see also Figure 2.

<sup>4</sup> Mott at column 7, line 65 - column 8, line 20.

<sup>5</sup> Mott at column 11, lines 25-48.

<sup>6</sup> Mott at column 13, lines 5-53.

amended Claim 1, together with its corresponding dependent claims, is believed to be in condition for allowance.

Moreover, amended Claims 9 and 15-18 recite features substantially similar to those recited in amended Claim 1, and are thus believed to be in condition for allowance for substantially similar reasons. Accordingly, it is respectfully requested that the rejection of Claims 1-11 and 15-18 under 35 U.S.C. § 103(a) be withdrawn.

For the reasons discussed above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance for Claims 1-11 and 15-18 is earnestly solicited.

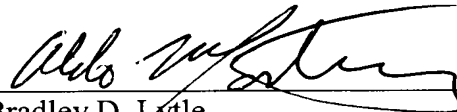
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